



1774

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b), 1.97(c), or 1.97(d)</b>			Attny. Docket No. 10251
In Re Application of: <b>Lu, et al.</b>		Confirmation No. 4395	
U.S. Serial No. 09/778,558	Filing Date February 7, 2001	Examiner Kimberly T. Nguyen	Group Art Unit 1774

#8

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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**37 CFR § 1.97(b)**

- ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

**37 CFR § 1.97(c)**

- ☒ The Information Disclosure Statement submitted herewith is being filed after three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); after three months of the date of entry of the national stage as set forth in § 1.491 in an international application; after the mailing of a first Office Action on the merits; or after the mailing of a first Office Action after the filing of a request for continued examination under § 1.114, but before the mailing date of:

1. a Final Action under § 1.113,
2. a Notice of Allowance under § 1.311, or
3. an action that otherwise closes prosecution in the application,

and is accompanied by either:

- ☐ the fee as set forth in § 1.17(p), or
- ☒ the following statement under § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

**37 CFR § 1.97(d)**

- ☐ The Information Disclosure Statement submitted herewith is being filed after a Final Action under § 1.113, a Notice of Allowance under § 1.311, or an action that otherwise closes prosecution in the application, but before, or simultaneously with, the payment of the issue fee. Submitted herewith is the fee as set forth in § 1.17(p) and the following statement under 37 CFR § 1.97(e)(1): each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Applicant hereby requests consideration of the Information Disclosure Statement, USPTO form 1449, submitted herewith.

☒ Legible copies of the references are enclosed.

☐ This application is a:  
☐ Continuation/ Divisional,  
☐ Continuation-in-Part,

of U.S.S.N. \_\_\_\_\_. Copies of the cited references are  
☐ enclosed; ☐ not enclosed. References are available in the parent application(s) if not enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account Number 05-1712. A duplicate copy of this form is enclosed.

10/22/02  
Date

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**CERTIFICATE UNDER 37 C.F.R. §1.8(a)**

I hereby certify that I have a reasonable basis to expect that this correspondence will be deposited with the United States Postal Service as first class mail in an envelope with sufficient postage affixed and addressed to Commissioner of Patents and Trademarks, Washington, DC. 20231, on 10-23-02.

Laura Clark  
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